

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

FILED

JAN 27 2016

U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST LOUIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREG A. TARPLEY,

Defendant.

**4:16CR00041 ERW/JMB**

INDICTMENT

COUNT I

The Grand Jury charges that:

At all times pertinent to the charges in this indictment:

1. Federal law defined the term
  - (a) "minor" to mean any person under the age of eighteen years (18 U.S.C. § 2256(1));
  - (b) "sexually explicit conduct" to mean actual or simulated--
    - (i) sexual intercourse, including genital-genital, anal-genital, oral-genital, oral-anal, whether between persons of the same or opposite sex,
    - (ii) bestiality,
    - (iii) masturbation,
    - (iv) sadistic or masochistic abuse, or

(v) lascivious exhibition of the genitals or pubic area of any person (18 U.S.C. §2256(2)(A));

(c) "computer" to mean an electronic, magnetic, optical, electrochemical or other high speed data processing device performing logical, arithmetic or storage functions, including any data storage facility or communications facility directly related to or operating in conjunction with such device. (18 U.S.C. § 2256(6));

(d) "child pornography" to mean any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where--

(A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; or

(C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct. (18 U.S.C. §2256(8)).

2. The "Internet" was, and is, a computer communications network using interstate and foreign lines to transmit data streams, including data streams used to store, transfer and receive graphic files.

3. Between on or about August 1, 2014, and on or about October 9, 2014, within the Eastern District of Missouri and elsewhere,

**GREG A. TARPLEY,**

the defendant herein, knowingly received images of child pornography using any means or facility of interstate and foreign commerce, that is, the defendant knowingly received image files via the Internet which contained child pornography, including, but not limited to, the following:

1. ps-007a-083.jpg, which is a graphic image file depicting a prepubescent minor female in lascivious exhibition of her genitals and pubic area;
2. ps-007a-084.jpg, which is a graphic image file depicting a prepubescent minor female in lascivious exhibition of her genitals and pubic area;
3. ps-007a-085.jpg, which is a graphic image file depicting a prepubescent minor female in lascivious exhibition of her genitals and pubic area;
4. touch-001a-034.jpg, which is a graphic image file depicting a prepubescent minor female in lascivious exhibition of her genitals and pubic area;
5. ism-016-077.jpg, which is a graphic image file depicting a prepubescent minor female in lascivious exhibition of her genitals and pubic area; and
6. ism-016-058.jpg, which is a graphic image file depicting a prepubescent minor female in lascivious exhibition of her genitals and pubic area;

In violation of Title 18, United States Code, Sections 2252A(a)(2) and (b)(1).

## **COUNT II**

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.
2. Between on or about August 1, 2014, and on or about October 9, 2014, within the Eastern District of Missouri and elsewhere,

**GREG A. TARPLEY,**

the defendant herein, did knowingly possess material that contained images and/or videos of child pornography that was produced using materials that traveled in interstate commerce, to wit,

a Compaq Presario computer containing a Western Digital WD5000AAKS hard drive that was produced outside Missouri and therefore has traveled in interstate and foreign commerce, and said hard drive contained child pornography, including but not limited to the following:

1. ps-007a-073.jpg, which is a graphic image file depicting a prepubescent minor female in lascivious exhibition of her genitals and pubic area;
2. ps-007a-038.jpg, which is a graphic image file depicting a prepubescent minor female in lascivious exhibition of her genitals and pubic area; and
3. lsn-019-065.jpg, which is a graphic image file depicting a minor female in lascivious exhibition of her genitals and pubic area.

In violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (b)(2).

### **COUNT III**

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.
2. Between on or about August 1, 2014, and on or about October 9, 2014, within the Eastern District of Missouri and elsewhere,

### **GREG A. TARPLEY,**

the defendant herein, did knowingly possess material that contained images and/or videos of child pornography that was produced using materials that traveled in interstate commerce, to wit, a Compaq Presario computer containing a Western Digital WD1600AJS hard drive that was produced outside Missouri and therefore has traveled in interstate and foreign commerce, and said computer contained child pornography, including but not limited to the following:

1. {EBA8D327-DB39-4415-843A-121CD6884C99}-000-095.JPG, which is a graphic image file depicting a prepubescent minor female in lascivious exhibition of her genitals and pubic area;

2. {D088B95A-D53F-4BE4-90F1-DA7C22CCAC68}-000-129.JPG, which is a graphic image file depicting a minor female in lascivious exhibition of her genitals and pubic area; and

3. {FFBA1C18-6610-49DE-9F42-B75A79B8785F}-000-094.JPG, which is a graphic image file depicting a minor female in lascivious exhibition of her genitals and pubic area;

In violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (b)(2).

#### **COUNT IV**

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.

2. Between on or about August 1, 2014, and on or about October 9, 2014, within the Eastern District of Missouri and elsewhere,

#### **GREG A. TARPLEY,**

the defendant herein, did knowingly possess material that contained images and/or videos of child pornography that was produced using materials that traveled in interstate commerce, to wit, a Toshiba external hard drive that was produced outside Missouri and therefore has traveled in interstate and foreign commerce, and said device contained child pornography, including but not limited to the following:

1. 000-122.JPG, which is a graphic image file depicting a prepubescent minor female in lascivious exhibition of her genitals and pubic area;
2. 3-03-03-058.JPG, which is a graphic image file depicting a prepubescent minor female in lascivious exhibition of her genitals and pubic area; and
3. 000-060.JPG, which is a graphic image file depicting a prepubescent minor female in lascivious exhibition of her genitals and pubic area;

In violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (b)(2).

**COUNT V**

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.
2. Between on or about August 1, 2014, and on or about October 9, 2014, within the Eastern District of Missouri and elsewhere,

**GREG A. TARPLEY,**

the defendant herein, did knowingly possess material that contained images and/or videos of child pornography that was produced using materials that traveled in interstate commerce, to wit, a Seagate external hard drive that was produced outside Missouri and therefore has traveled in interstate and foreign commerce, and said hard drive contained child pornography, including but not limited to the following:

1. show-003-101.jpg, which is a graphic image file depicting a minor female in lascivious exhibition of her genitals and pubic area;
2. ls-star-013a-034.jpg, which is a graphic image file depicting a prepubescent minor female in lascivious exhibition of her genitals and pubic area; and

3. ls-star-013a-073.jpg, which is a graphic image file depicting a prepubescent minor female in lascivious exhibition of her genitals and pubic area;

In violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (b)(2).

A TRUE BILL.

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FOREPERSON

RICHARD G. CALLAHAN  
United States Attorney

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GILBERT C. SISON, #52346MO  
Assistant United States Attorney